IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO: 12943 of 2004

Between:

1 Rapuru Penchalaiah, S/o.Kondaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
2 Boyalla Yerra Gunvaiah, S/o.Guruvaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
3 Budigi Yanadi Reddy @ Yanadaiah, S/o.Pedda Rosaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
4 Budigi Latchamma (Daughter), L.R. & Daughter of Mallu Subbamma,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
5 Nallu Narasimha Reddy, S/o.Venkata Ramaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
6 Mallu Chinnappa Reddy (Son) L.R. & Son of Penchal Reddy,S/o.Venkata

Ramaiah, R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
7 Nuteti Seethramaiah, S/o.Chinna Penchalaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
8 Nuteti Venkata narasaiah, S/o.L.R.of chentaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
9 Nuteti Gangaiah, S/o.Chinnaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
10 Nuteti Penchalaiah, S/o.Nagaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
11 Nuteti subbamma, W/o.& L.R.of pedda Penchalaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
12 Mallu Ramulamma, W/o. & L.R.of Nagireddy,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
13 Mallu Ramalakshmamma, W/o. & L.R.of Narasimha Reddy,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
14 Mallu Ramanamma, W/o. & L.R.of Lakshmi Narasa Reddy,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
15 Jamanna Latchamma, w/o.Venkataiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
16 Nizamani chinnaiah, S/o.Narasaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

17 Chilamakuri Ramaiah, S/o. & L.R.of Yerikalaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
18 Nizamani Narasimuloo, S/o.Penchalaiah (Potti),
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
19 Nizamani Narasaiah, S/o. & L.R.of Pedda Ankamma,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
20 Nizamani Gurramma, W/o.Penchalaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
21 Boyella Pitchamma, W/o.China Guravaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
22 Dasari Narasamma, W/o.& L.R.of Guruvaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
23 Cherla Atchamma (Daugher-in-law), L.R.of Ch.Narasaiah, S/o.Penchalaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
24 Nijamani Santamm, W/o.Penchalaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
25 Chilamakuri Chinna Yadaiah, S/o.Chinnaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
26 Nijamani Chinnaiah, S/o.Penchalaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
27 Boyella Chantaiah @ Penchalaiah, Son and L.R. of Guruvaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
28 Dasari Chinnaiah, S/o.Guruvaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
29 Dasari Vekataiah, S/o.Guruvaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
30 Vonteru Chinnabbaiah, S/o.Kondaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
31 Vonteru Kondaiah, S/o.Kondaiah
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
32 Vonteru Narayana, s/o.Kondaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
33 Vonteru Narayana, S/o.Kondaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
34 Vonteru Rosaiah, S/o.Kondaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
35 Vonteru Yanadamma, W/o. & L.R.of Yanadaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
36 Nuneti Munaiah, S/o.Chinna Penchalaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
37 Mallu Subbamma, S/o.Chinna Penchalaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
38 Madu Chinnakka, W/o.Venkata Subbaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
39 Bellam Subbaratnam, S/o.& L.R. of Chinnasubbaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
40 Madu Venkata Subbaiah, s/o.Venkata Subbaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
41 Kondareddy Lingaiah, S/o.Laxmaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
42 Bukkayapalli Venkata Narasaiah, S/o.& L.R. subbanarasaiah (died)
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
43 Vonteru Kondaiah @ Mallu Kondaiah, S/o.Kondaiah,

R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

44 Mallu Venkata Reddy, S/o.Venkataramaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

45 Mallu Penchal Reddy, S/o.Narasaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

46 Patturu Lakshamma, W/o.Narasimhulu,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

47 Mallu Penchalreddy, S/o. & L.R. of Venkata Narasa Reddy,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

48 Parlapalli subbamma, D/o.& L.R. of Mallu Ramakrishnaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

49 Madana Thirupalu, S/o.Obaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

50 Dasari Atchamma, W/o. L.R of Guruvaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

51 Nijamni prasad (Grand son) L.R.of Boyela Guruvaiah, S/o Gangamaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

52 Nijamni Thirupalu(son-in-law), L.R.of Boyela Rosamma, W/o.Bala

Guravaiah, R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

53 Bola Yanadaiah, s/o.Narasaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

54 Nijamani Yanadaiah, S/o.Chinnaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

55 Cherala Penchalaiah, S/o.Pedda Penchalaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

56 Kodikuthala Narasaiah, S/o. & L.R.of Obaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

57 Kodikuthala Pullaiah, S/o.China Narasaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

58 Vonteru Pedda Kondaiah, S/o.Kondaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

59 Vonteru Chinna Kondaiah, S/o.Kondaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

60 Nuteti Narasimhuloo, S/o.Chinnaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

61 Nuteti Chinna Penchalaiah, S/o.Venkata Ramaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

62 Nalagondu Kondalarayudu, S/o.Pitchi Reddy,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

63 Gampala Chinnamma, W/o & L.R.of Lakshmaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

64 Gampala Nagamma, W/o.& L.R. of Pedda Pinchalaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

65 Gampala Narasaiah, S/o.Penchalaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

66 Gampala Chinna Penchalaiah, S/o.penchalaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

67 Nijamani Thirupalaiah, S/o.Chennaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

68 Nijamani Narasimuloo, S/o.Chinnaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

69 S.Narasima Reddy S/o.Pinchal Reddy,

R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

70 Uppalapati Nagamma, @ Venkatamma, W/o. & L.R. of Narasimuloo,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

71 Nuteti Pinchalaiah, S/o.Venkataramaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

72 Nuteti Narasimuloo, S/o.Venkataramaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

73 Somisetti Venkata Sunil Kumar, Grandson L.R.of

S.Balaiah,S/o.S.Balasubbaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

74 Mallu Jayarami Reddy, S/o. and L.R. of Venkatanarasa Reddy,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

75 Kota Obalreddy, S/o.Pedda Chennaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

76 Korivi Radhakrishna Murthy, S/o.Rama Bantulu,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

77 S.Venkata Subbaiah (Dattu) S/o. & L.R. & S/o.Lakshmamma,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

78 Mallu Basireddygari Narasimulu, S/o.Nagaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

79 Mallu Penchal Reddy, S/o.Venkata Narasa Reddy,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

80 Somisetti Brahmaiah, LR & S/o Lakshmaiah, S/o Pedda Seshaiah
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

81 Somisetti Murali, S/o. & L.R. of Venkata Subbaiah, S/o.Papaiah
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

82 Somisetti Sivaramaiah, S/o.Lakshmaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

83 Somisetti Subbarayadu S/o.Balasubbaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

84 Somisetti Prabhakar Rao, S/o.Subbarayudu,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

85 Somisetti Radhakrishna Rao, S/o.Subbarayudu
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

86 Parachuri Hymavathamma, W/o.Chandrasekhar,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

87 Polireddy Venkataramaiah, S/o.Pitchaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

88 Chintamreddy Subbamma, W/o.Penchalaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

89 Lanka Subbamma, W/o.Yanadi Reddy,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

90 Mallu Ramulamma, D/o. & L.R. of Lanka Ademma,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

91 Siddanna Narayanaiah, S/o.Subbaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

92 Gampala Chinamma, Wife and L.R.of Lakshmaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

93 Dasari Chinna Venkataiah, S/o.Chinna Venkataiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

94 Pallem Yellaiah, S/o.Obaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

95 Nariki peddaiah, son and LR of Penchalaiah, S/o.Narasaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
96 Reddipogu Narasaiah, Son and LR of Venkata Narasaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
97 Kaluvai Chinna Penchalaiah, S/o.Narasaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
98 Nariki Peddaiah, son and L.R.of Narasaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
99 Shaikh Nazir Saheb, S/o.Jaffar Saheb,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
100 Dasari Guravaiah, S/o.Venkataiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
101 Dasari Venkaiah, S/o.Venkataiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
102 Dasari Chennamma, Wife & LR of Venkataiah,S/o.Chinna Venkataiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
103 Chiripireddy Yanadamma, L.R. and wife of Pedda Chennaiah Gari Vemaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
104 Chiripireddy Chandra, Wife and L.R. of Vemulareddy,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
105 Pothuraju Subbamma, W/o.Subbaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
106 Chirupireddy Narayanareddy, S/o.Chinna Naraiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
107 Shivaram Vemakka, W/o.Narayana Reddy,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
108 Guda Tirupal Reddy, S/o.Chinna Reddy,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
109 Basireddy Subbarami Reddy, S/o.potreddy,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
110 Kota chinna Chinnaiah, S/o.Nagaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
111 Pesala Eswara Reddy, Son and LR of Ramaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
112 Kakarla Chennaiah, S/o.Kesaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
113 Pesala Nagasubba Reddy, Son and LR of Nagaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
114 Iragamreddy Obulamma, Wife and L.R.of Seshareddy,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
115 Singavaram Veeramma, (Daughter-in-law), LR of Nagamma, LR of Naraiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
116 Somisetty Radha Krishna, S/o.Subbarayudu,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
117 Chiripireddy Subba Lakshmamma, Wife and LR of Adinarayanareddy,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
118 Chiripireddy Chinna Adinarayana Reddy, S/o.Pedda subbaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
119 Chirireddy Lakchamma, W/o.Kesaval Reddy,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
120 Chiripireddy Chennareddy, Son and LR of Chenna Reddy,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.
121 Chiripireddy Kesaval Reddy, S/o.Naraiah,

R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

122 Chiripireddy venkatasubbamma, Wife and LR of Chiripireddy

Narayanareddy,S/o.Vemulareddy,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

123 Chiripireddy Narayanamma, Daughter and LR of Chennamma

W/o.Vemaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

124 Chiripireddy Balanarayana Reddy, Son and LR of Subbamma,

W/o.Vemulareddy,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

125 Chiripireddy Baskara Reddy, S/o.Kesaval Reddy,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

126 Chiripireddy Narayana Reddy, S/o.Naraiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

127 Chiripireddy Savithramma, Wife and LR of Suryanarayana Reddy,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

128 Pesala Atchamma, Wife & LR of Rosaiah, @ Chantaiah,S/o.Subbaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

129 Basireddy Obulamma, Wife and LR of Rosi Reddy,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

130 Chiripireddy Balanarayana Reddy, S/o.Vemul Reddy,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

131 Pesala Adinarayana, S/o.Nagaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

132 Chiripireddy Chennaiah, S/o.Chennaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

133 Chiripireddy Sudakar Reddy, S/o.Adinarayana,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

134 Somisetty Venkata Subbaiah, S/o.Subbaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

135 Chinthamreddy Subbamma, Wife and LR of Narayana Reddy,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

136 Mamidi Nagireddy, S/o.Subba Reddy,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

137 Siddanna Subbamma, Wife and LR of Siddanna Penchalaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

138 Mummadi Sesha Reddy, Son and LR of Gangi Reddy,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

139 Manidi Subbamma, Wife and LR of Rama Subba Reddy,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

140 Palle Ramaiah, S/o.Venkata Subbaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

141 Chintamreddy Venkataiah, S/o.Jangamaiah,
R/o.Kaluvari Village, Kaluvai Mandal, Nellore District.

…PETITIONERS

AND

1 The Special Deputy Collector, Land Acquisition, Somasila Project, Unit-IV,

Rajampet, Cuddapah Dist.
2 The Special Collector, Land Acquisition, Telugu Ganga Project, Near KVR

Petrol Bank, Nellore.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of a writ of Mandamus declaring the action of the 1st respondent herein in not passing orders on the 28-Applications filed by the petitioners seeking re-determination of the amount of compensation on the basis of the award of the court which have acknowledge by the 1st respondent on 30-9-90, in respect of their lands situated in Vakamada village, Siddivatam Taluk, Cuddapah District which have been acquired by the 1st respondent herein for public purpose vide Award Number 12/80 dated 29-12-1980 as highly illegal, arbitrary and violative of principles of Natural justice.

Counsel for the Petitioners: MRS.S.NANDA

Counsel for the Respondents: GP FOR LAND ACQUISITION

The Court at the stage of admission made the following:

ORDER:

Petitioners who have not availed benefit under Section 18 of the Land Acquisition Act (for short 'the Act') filed an application under Section 28-A of the Act for re-determination of compensation. Since no orders on the said application have been passed by the Land Acquisition Officer, petitioners moved this Court by way of the present writ petition contending that the application filed by them was well within the time after excluding the time spent in obtaining the certified copy of the impugned order, which is filed along with the application.

2. In view of the same, the Land Acquisition Officer has to verify whether the said application filed by the petitioners is well within

the time and whether they have not availed the benefit of reference under Section 18 of the Act and can pass appropriate orders within a period of three months from the date of receipt of a copy of this order and communicate the same to the petitioners.

The writ petition is accordingly disposed of. No costs.

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A. **GOPAL REDDY, J**

October 5, 2004

MRR

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To:

1 The Special Deputy Collector, Land Acquisition, Somasila Project, Unit-IV,

Rajampet, Cuddapah Dist.

2 The Special Collector, Land Acquisition, Telugu Ganga Project, Near KVR

Petrol Bank, Nellore.

3 Two C.C. s to the G.P. for Land Acquisition, High Court Buildings, Hyderabad (OUT)

4 Two C.D. Copies.